

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CHARLIE PENA,

Plaintiff,

v.

CIV 11 1102 GBW/WDS

SCRIP, INC., d/b/a/
Massage Warehouse,

Defendant.

**ORDER DENYING MOTION FOR PROTECTIVE
ORDER AND NOTICE OF NON-APPEARANCE**

This matter comes before the Court on Plaintiff's Motion for Protective Order and Notice of Non-appearance (Doc. No. 41). The Plaintiff seeks to avoid the depositions of several medical witnesses and potentially the liability expert Dr. Rasty. The Court finds that it is in the interests of justice and the orderly conduct of the trial that Defendant have an opportunity to depose the witnesses. The Court finds no prejudice to the Plaintiff.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Protective Order and Notice of Non-appearance (Doc. No. 41) is denied. The parties should cooperate to find acceptable dates for the depositions as soon as possible.



W. Daniel Schneider
United States Magistrate Judge